

riculture, to whom was referred S. B. No. 380, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Adjournment

On motion of Senator Vick, the Senate at 4:20 o'clock p.m., adjourned until 10:00 o'clock a.m. tomorrow.

THIRTY-NINTH DAY

(Tuesday, March 22, 1949)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Bullock McDonald

A quorum was announced present.

Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Colson, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

Leaves of Absence Granted

Senator McDonald was granted leave of absence for today on account of important business on motion of Senator Phillips.

Senator Bullock was granted leave of absence for today on account of

important business on motion of Senator Hudson.

Reports of Standing Committees

Senator Kelly of Tarrant submitted the following reports:

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred Senate Bill 405, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLY of Tarrant, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred Senate Bill 341, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLY of Tarrant, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred Senate Bill 108, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLY of Tarrant, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred Senate Bill 346, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLY of Tarrant, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

Senate Bill 300, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

KELLY of Tarrant, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred Senate Bill 194, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute do pass in lieu thereof.

KELLY of Tarrant, Chairman.

C. S. S. B. No. 194 was read first time.

Senator Cousins submitted the following reports:

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred S. B. No. 296, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

COUSINS, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred S. B. No. 297, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

COUSINS, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 399, have had the same under consideration, and I am instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 84, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 403, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 396, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 339, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil

Jurisprudence, to whom was referred S. B. No. 331, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 130, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 273, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 198, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute do pass in lieu thereof and be printed.

LANE, Chairman.

C. S. S. B. No. 198 was read first time.

Senator Proffer submitted the following reports:

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 281, have had same under consideration and beg to report it

back to the Senate, as amended, with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 347, have had same under consideration and beg to report it favorably back to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 349, have had same under consideration and beg to report it back favorably to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 350, have had same under consideration and beg to report it back to the Senate, as amended, with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Austin, Texas,
March 21, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 385, have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Senator Carney submitted the following report:

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred Senate Bill 407, have had the same under consideration and wish to report it back to the Senate with the recommendation that it do pass, and be not printed.

CARNEY, Chairman.

Senate Concurrent Resolution 33

Senator Lock offered the following resolution:

S. C. R. No. 33, Relating to gifts, grants or purchase of surplus war material, needed by public schools of this State.

Whereas, Under the war emergency powers granted to the Governor of this State an agency was set up to take by gifts, grants or purchase from the Federal Government badly needed surplus war materials for the use and benefit of state-owned schools and institutions of higher learning, this being the only available source for much equipment during the years immediately following the war; and,

Whereas, If it had not been for this Agency, Texas probably would have lost most of the surplus property allocated to it on a national basis, since under Federal law, such an agency was the recognized channel through which surplus property would flow; and,

Whereas, There is now being distributed many millions of dollars worth of surplus property and such distributions are to continue as long as surplus property is to be made available to the schools and institutions of higher learning of this State by the Federal Government; now, therefore be it

Resolved, By the Senate, the House of Representatives concurring:

First: That the Governor is hereby requested to continue the present agency to function as in the past, to take by gifts, grant or purchase from the Federal Government available surplus war and other materials as may be needed by such schools and institutions of higher learning, said agency to be known in the future as the "Texas Surplus Property Agency," and to be composed of nine (9) members to be appointed by the Governor of this State, such members to be selected and to represent the various schools and higher educational institutions of this State. The chairman of this Agency is to be selected by the

members of said Agency at its first regular meeting.

Second: Members of said Agency shall be considered as serving as representatives of their respective school and higher educational areas and shall in no wise be considered as holding two offices under the State, and they shall be designated to serve for a period of two years and without compensation. Said Agency shall make such rules and regulations as it may deem necessary to carry out the continued acquisition by gift, grant or purchase from the Federal Government stock of surplus war material as well as other Federal Government surplus material which may become available from time to time.

The resolution was read.

On motion of Senator Lock and by unanimous consent, the resolution was considered immediately and was adopted.

Message from the House

Hall of the House of Representatives,

Austin, Texas,

March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills:

H. B. No. 29, A bill to be entitled "An Act creating Texas Citrus Commission, providing for appointment of its members, their qualifications, compensation, tenure, and powers; providing for the officers and organization of said Texas Citrus Commission and how it shall carry out its functions and enforce the powers granted to it, etc.; and declaring an emergency."

H. B. No. 101, A bill to be entitled "An Act amending the 'Lower Colorado River Authority Act,' Chapter 7 (S. B. No. 2), Acts of the Fourth Called Session of the Forty-third Legislature and the amendment thereto as set out in Chapter 2 (Title: Water—S. B. No. 346), of the Special Laws of the Forty-sixth Legislature, Regular Session, by amending Section 10 so as to authorize the District to issue bonds for any corporate purpose; providing that the aggregate principal amount of such bonds outstanding at any one time shall not exceed Fifty

Million (\$50,000,000.00) Dollars, and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

**Presentation of Members of
The Oklahoma Legislature**

(Senate Resolution 88)

Senator Jones offered the following resolution:

Whereas, A delegation of members of the Oklahoma Legislature, headed by Senator Frank Mahan, are now in Austin for the purpose of observing the sessions of the Texas Senate and House of Representatives, and of attending the hearings of the House Committee on Revenue and Taxation on the gas tax bills; and

Whereas, These officials from Oklahoma are now in the Capitol Building; now, therefore, be it

Resolved, That they be accorded the privileges of the Senate floor and invited to the President's rostrum; and, be it further

Resolved, That they be presented to the Senate at this time by the Lieutenant Governor.

JONES,
MOFFETT.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Jones, Aikin and Moffett as a committee to escort the visiting members of the Legislature of Oklahoma to the President's stand.

The President then presented Senators J. B. Cobb, Floyd Carrier and P. H. Lowery, who each in turn, addressed the Senate briefly.

The President then presented Representatives Langley and Evans and they each addressed the Senate briefly.

Senate Bill 411 on First Reading

Senator Bracewell moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert

Nays—1

Kelly of Tarrant

Absent—Excused

Bullock

McDonald

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Bracewell:

S. B. No. 411, A bill to be entitled "An Act for the purpose of preserving the faith and credit of the State and its Agency, the Harris County Flood Control District, to which state general fund ad valorem taxes have been donated or granted; making an appropriation to such district of an amount of money equivalent to that which it would have received if such tax had been levied in the year 1948; enacting other matters relating to the subject; and declaring an emergency."

To Committee on State Affairs.

Senate Bills on First Reading

By unanimous consent, the following local bills were introduced, read first time and referred to the committees indicated:

By Senator Cousins:

S. B. No. 412, A bill to be entitled "An Act to create Road District Number 4, Hardin County, Texas, and specifically setting out its boundaries, including therein a portion of the territory embraced in Road District Number 3; authorizing the Commissioners Court to continue to levy an ad valorem tax in such territory for the payment of its pro rata share of the principal and interest on all outstanding bonds of Road District

Number 3; authorizing the issuance of bonds by the newly created Road District in the manner and at such times as provided by the General Laws of Texas for the issuance of bonds by Road Districts, without the necessity of voting and issuing compensation bonds, and in conformity with Article 3, Section 52, of the Constitution of Texas; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Cousins:

S. B. No. 413, A bill to be entitled "An Act to create Road District Number 3-A, Hardin County, Texas, and specifically setting out its boundaries, including therein a portion of the territory embraced in Road District Number 3; authorizing the Commissioners Court to continue to levy an ad valorem tax in such territory for the payment of its pro rata share of the principal and interest on all outstanding bonds of Road District Number 3; authorizing the issuance of bonds by the newly created Road District in the manner and at such times as provided by the General Laws of Texas for the issuance of bonds by Road Districts, without the necessity of voting and issuing compensation bonds, and in conformity with Article 3, Section 52, of the Constitution of Texas; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Cousins:

S. B. No. 414, A bill to be entitled "An Act to create Road District Number 5, Hardin County, Texas, and specifically setting out its boundaries, including therein a portion of the territory embraced in Road District Number 3; authorizing the Commissioners Court to continue to levy an ad valorem tax in such territory for the payment of its pro rata share of the principal and interest on all outstanding bonds of Road District Number 3; authorizing the issuance of bonds by the newly created Road District in the manner and at such times as provided by the General Laws of Texas for the issuance of bonds by Road Districts, without the necessity of voting and issuing compensation bonds, and in conformity with Article 3, Section 52, of the

Constitution of Texas; and declaring an emergency."

To Committee on Counties and County Boundaries.

Senate Bill 415 on First Reading

Senator Kelley of Hidalgo moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Bullock	McDonald
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The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Kelley of Hidalgo:

S. B. No. 415, A bill to be entitled "An Act amending Chapter 304, Acts of the Regular Session of the 50th Legislature pertaining to the construction, acquisition, improvement, operations and maintenance of causeways, bridges and tunnels by certain counties bordering on the Gulf of Mexico, and declaring an emergency."

To Committee on Counties and County Boundaries.

Senate Bill 416 on First Reading

Senator Moore moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Bullock McDonald

The following bill was then introduced, read and referred to the committee indicated:

By Senators Moore, Vick, Corbin and Hazlewood:

S. B. No. 416, A bill to be entitled "An Act to amend Sec. 6 of H. B. 197, Acts, 1929, 41st Legislature, 2nd C. S., page 22, Chap. 13, as amended by Acts, 1935, 44th Legislature, page 56, Chapter 19, paragraph 3, as amended by Acts, 1935, 44th Legislature, 1st C. S., page 1527, Chap. 368, paragraph 14, providing for the appointment of Directors of the Brazos River Conservation and Reclamation District; providing for the confirmation of such Directors by the Senate; and declaring an emergency."

To Committee on State Affairs.

Senate Bill 417 on First Reading

Senator Hardeman moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Corbin
Ashley	Cousins
Bell	Hardeman
Bracewell	Harris
Carney	Hazlewood
Colson	Hudson

Jones	Phillips
Kelley of Hidalgo	Proffer
Kelly of Tarrant	Shofner
Lane	Strauss
Lock	Taylor
Martin	Tynan
Moffett	Vick
Moore	Weinert
Morris	

Absent—Excused

Bullock McDonald

The following bill was then introduced, read and referred to the committee indicated:

By Senator Hardeman:

S. B. No. 417, A bill to be entitled "An Act to authorize the Board of Control to convey to the City of Brady, Texas, the water system and equipment situated outside the limits of the Brady State School for Delinquent Negro Girls at Brady, Texas; providing that the City of Brady enter into a contract to supply water approved for human consumption and for irrigation purposes in certain quantities; providing for the burden of proof in the event of breach thereof; providing for the payment by the State of Texas of its pro rata share in event water is imported; and declaring an emergency."

To Committee on State Affairs.

Bill Signed

The President signed in the presence of the Senate after giving due notice thereof, the following bill:

H. B. No. 53, A bill to be entitled "An Act providing for the incorporation of a rural high school district; authorizing the presentation of a petition to the county board; authorizing the county judge to call an election; authorizing the commissioners court to canvass an election and declare the results; authorizing the commissioners court to certify results of election provided for board of trustees; repealing all conflicting laws; and declaring an emergency."

Committee Substitute

Senate Bill 22 on Second Reading

The President laid before the Senate as a special order for this hour, on its second reading and passage to engrossment:

C. S. S. B. No. 22, A bill to be entitled "An Act, amending Chapter 10, Title 78, Revised Civil Statutes of 1925, by adding a new article to be known as Article 4891a, providing that the Board of Insurance Commissioners shall not make, prescribe or promulgate any regulation or rule that will make any form of deductible clause mandatorily applicable to windstorm, hurricane and hail insurance on all buildings and structures; providing a saving clause; and declaring an emergency."

The bill was read second time.

(Senator Aikin in the Chair)

Senator Morris offered the following amendment to the bill:

Amend Committee Substitute for Senate Bill 22, Section 1, Line 25, by adding at the end of the word "structures" the following: "It shall be unlawful for any insurance company or its agent to require a mandatory deductible clause on windstorm, hurricane and hail insurance, and the making of such a demand shall be sufficient cause for the cancellation of company's license or an agent's license to write insurance in this State."

The amendment was adopted.

Senator Hudson offered the following amendment to the bill:

Amend C. S. S. B. No. 22 by adding after amendment number one the following words: "It shall be unlawful for any insurance company or its agents to demand that it be given other coverages before it will write any class or kind of insurance in this State and the making of such a demand shall be sufficient cause for the cancellation of a company or agent's license to write insurance in this State."

The amendment was adopted by the following vote:

Yeas—15

Aikin	Bracewell
Ashley	Carney
Colson	Kelley of Hidalgo
Corbin	Moffett
Cousins	Phillips
Hardeman	Tynan
Harris	Weinert
Hudson	

Nays—14

Bell	Jones
Hazlewood	Kelly of Tarrant

Lane	Proffer
Lock	Shofner
Martin	Strauss
Moore	Taylor
Morris	Vick

Absent—Excused

Bullock	McDonald
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On motion of Senator Morris and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

The bill was passed to engrossment.

Committee Substitute Senate Bill 22 on Third Reading

Senator Morris moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 22 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent—Excused

Bullock	McDonald
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The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Harris
Ashley	Hazlewood
Bell	Hudson
Bracewell	Jones
Carney	Kelley of Hidalgo
Colson	Kelly of Tarrant
Corbin	Lane
Cousins	Lock
Hardeman	Martin

Moffett	Strauss
Moore	Taylor
Morris	Tynan
Phillips	Vick
Proffer	Weinert
Shofner	

Absent—Excused

Bullock	McDonald
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House Bill 92 on Second Reading

On motion of Senator Cousins, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time, on its second reading and passage to third reading:

H. B. No. 92, A bill to be entitled "An Act amending Art. 52-160 of the Code of Criminal Procedure of the State of Texas by adding a new section to be known as Art. 52-160b; providing for the establishment of a Criminal Judicial District for Jefferson County, Texas; abolishing the office of County Attorney of Jefferson County; and creating the office of Criminal District Attorney of Jefferson County; providing for the election, tenure of office and prescribing the qualifications, powers, duties, compensation, and expense of said office, etc.; and declaring an emergency."

The bill was read second time.

Senator Cousins offered the following Committee Amendment to the bill:

Amend H. B. No. 92 by striking out all below the enacting clause and inserting therefor the following:

"Section 1. Article 52-160 of the Code of Criminal Procedure of the State of Texas is hereby amended by adding a new section to be known as Article 52-160b, to read as follows:

Article 52-160b. There is hereby created and established a criminal judicial district of Jefferson County, Texas, to be composed of the County of Jefferson, State of Texas alone and which district is co-extensive with the territorial boundaries and limits of Jefferson County, Texas.

Section 2. There shall be elected by the qualified electors of the Criminal Judicial District of Jefferson County, Texas, at the regular election in November, 1950, and at the regular November election each two (2) years thereafter, an attorney for

said district who shall be styled the 'Criminal District Attorney of Jefferson County' and who shall hold his office for a period of two (2) years and until his successor is elected and qualified. The said Criminal District Attorney of Jefferson County shall possess all the qualifications and take the oath and give the bond required by the Constitution and laws of this State of other district attorneys.

Section 3. It shall be the duty of said Criminal District Attorney of Jefferson County, or his assistants, as herein provided, to be in attendance upon each term and all sessions of the Criminal District Court of Jefferson County and of all sessions and terms of all the inferior courts of Jefferson County held for the transaction of criminal business, and to exclusively represent the State of Texas in all matters pending before said courts and to represent Jefferson County in all matters pending before such courts and any other court where Jefferson County has pending business of any kind, matter or interest. The Criminal District Attorney of Jefferson County shall have and exercise, in addition to the specific powers given and the duties imposed upon him by this Act, all such powers, duties and privileges within such criminal judicial district of Jefferson County, Texas, as are by law now conferred, or which may hereafter be conferred upon district and county attorneys in the various counties and judicial districts of this State. He shall collect such fees, commissions, and perquisites as is now, or may hereafter be provided by law for similar services rendered by district and county attorneys of this State.

Section 4. The Criminal District Attorney of Jefferson County shall be commissioned by the Governor and shall receive as salary and compensation the following and no more: A salary of Five Hundred Dollars (\$500.00) from the State of Texas, as provided in the Constitution of the State of Texas for the salary of district attorneys, and a sum of not less than Seven Thousand Four Hundred (\$7,400.00) Dollars per annum to be paid out of the Officers' Salary Fund of Jefferson County, if adequate; if inadequate, the Commissioners' Court shall transfer necessary funds from the General Fund of the County to the Officers' Salary Fund.

Section 5. The Criminal District

Attorney of Jefferson County, for the purpose of conducting the affairs of this office, and with the approval of the Commissioners' Court, shall be and is hereby authorized to appoint nine (9) assistants, and fix their salary rate as follows: Said assistants shall receive not less than Four Thousand Two Hundred (\$4,200.00) Dollars per annum. The Criminal District Attorney of Jefferson County may employ three (3) Investigators, who shall receive not less than Three Thousand (\$3,000.00) Dollars per annum each. He may employ two court reporters and fix their salaries at not less than Two Thousand Four Hundred (\$2,400.00) Dollars per annum each. He may employ two stenographers and fix their salaries at not less than One Thousand Eight Hundred (\$1,800.00) Dollars per annum each. He may employ one chief clerk and fix his salary at not less than Four Thousand Two Hundred and Fifty (\$4,250.00) Dollars per annum. All such salaries mentioned in Section 5 shall be payable from the Officers' Salary Fund, if adequate; if inadequate, the commissioners' court shall transfer necessary funds from the general fund of the county to the Officers' Salary Fund. In addition to the salaries provided for the investigators herein, each of such investigators may be allowed a sum not to exceed Fifty (\$50.00) Dollars per month for repair and maintenance expense for automobile owned and maintained by such investigators and used by him in investigation of crime; such allowance to be paid monthly by the county upon warrants drawn upon the Officers' Salary Fund or the General Fund, as the case may be, upon written claim of such investigator, showing that said automobile was in official use; and such claim shall bear the approval of the Criminal District Attorney, and shall be paid as provided by law for other claims.

Section 6. Should such Criminal District Attorney be of the opinion that the number of assistants or stenographers above provided is not adequate for the proper investigation and prosecution of crime and the effective performance of the duties of his position, with the advice and approval of the commissioners' court he may appoint additional assistants and stenographers or other employees, as hereinafter limited, and fix their salaries as follows: one additional

assistant criminal district attorney, with a salary not less than Four Thousand Two Hundred (\$4,200.00) Dollars per annum; one additional assistant criminal district attorney with a salary not less than Three Thousand (\$3,000.00) Dollars per annum. He may employ two additional stenographers and fix their salaries at not less than One Thousand Eight Hundred (\$1,800.00) Dollars per annum each.

Section 7. The Assistant Criminal District Attorneys of Jefferson County and investigators, when so appointed, shall take the Constitutional oath of office and the said criminal district attorney of Jefferson County and his assistants shall have the exclusive right, and it shall be their duty, to represent the State of Texas in all criminal cases pending in any and all of the courts of Jefferson County, Texas, except in the city courts of the City of Beaumont and Port Arthur. Said Assistant Criminal District Attorneys of Jefferson County are hereby authorized to administer oaths, file information, examine witnesses before the Grand Jury and generally perform any duty devolving upon the Criminal District Attorney of Jefferson County and exercise any power, and to perform any duty conferred by law upon said Criminal District Attorney of Jefferson County.

Section 8. The duly elected and qualified County Attorney of Jefferson County, now acting, shall become the Criminal District Attorney as herein enumerated, from and after the effective date of this Act. He shall perform all of the duties of the Criminal District Attorney as herein enumerated and be known as the Criminal District Attorney of Jefferson County until the next general election and until his successor is duly elected and qualified. The office of County Attorney of Jefferson County is abolished from and after the effective date of this Act.

Section 9. If any part or section of this Act shall be held unconstitutional or invalid, for any reason, the remainder of the Act shall, nevertheless, be in full force and effect.

Section 10. All laws and parts of laws heretofore enacted which are in conflict herewith are hereby repealed.

Section 11. The importance of this legislation and the crowded condition of the calendar create an emergency

and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was adopted.

Senator Cousins offered the following Committee Amendment to the bill:

Amend House Bill No. 92 by striking out all above the enacting clause, and inserting therefor the following:

**"A BILL
TO BE ENTITLED**

'An Act amending Art. 52-160 of the Code of Criminal Procedure of the State of Texas by adding a new section to be known as Art. 52-160b; providing for the establishment of a Criminal Judicial District for Jefferson County, Texas; abolishing the office of county attorney of Jefferson County; and creating the office of criminal district attorney of Jefferson County; providing for the election, tenure of office and prescribing the qualifications, powers, duties, compensation, and expense of said office; providing for the appointment of assistants, investigators, clerk, and stenographers by the criminal district attorney of Jefferson County; providing for their compensation, prescribing their powers and duties; providing that the new duly elected and qualified county attorney shall act and perform the duties of criminal district attorney and be known as the criminal district attorney until the next general election and until his successor shall qualify; providing that, if any part of this Act be held invalid, the remainder shall be valid, repealing all laws in conflict herewith; and declaring an emergency.'"

The Committee Amendment was adopted.

The bill was passed to third reading.

House Bill 92 on Third Reading

Senator Cousins moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 92 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent—Excused

Bullock

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Hudson	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert

Absent—Excused

Bullock

House Bills on First Reading

The following House Bills were laid before the Senate, read and referred to the committees indicated:

H. B. No. 29, to Committee on Agriculture.

H. B. No. 101, to Committee on State Affairs.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Resolution:

H. C. R. No. 49, Inviting the Honorable Sam Rayburn to address a Joint Session of the Legislature.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

House Concurrent Resolution 49

The presiding officer laid before the Senate, for consideration at this time:

H. C. R. No. 49, Inviting Honorable Sam Rayburn to address a Joint Session of the Legislature.

The resolution was read.

On motion of Senator Jones and by unanimous consent, the resolution was considered immediately and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Resolution:

S. C. R. No. 32, Extending congratulations to the employees, stockholders, and officers of the Groce-Wearden Company, and to its president, Joseph Wearden of Victoria, on the completion of forty years of business and community achievement.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 29 on Second Reading

The presiding officer laid before the Senate as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 29, A bill to be entitled "An Enabling Act to carry into effect

Section 49-b of Article III of the Constitution; to bring into being the Veterans' Land Board as a State agency and provide procedures for the operation thereof; to create a Veterans' Land Fund by providing for the issuance of bonds in and not exceeding the amount of Twenty-five Million Dollars (\$25,000,000) and providing for the sale and for the payment and retirement of such bonds and interest thereon; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Bell offered the following committee amendments to the bill:

(1)

Amend Senate Bill No. 29 by striking out Section 29 and substituting in lieu thereof the following:

Sec. 29. The fact that the provisions of this Act are desirable and that the people of this State have adopted a Constitutional Amendment authorizing the creation of a Veterans' Land Board; that there is a great demand for the increased production of farm and ranch commodities; that housing facilities in cities are inadequate and in many cases impair the health and welfare of veterans and their families; that the State of Texas has a prior right, next to Federal agencies, to purchase lands declared surplus property and thrown on the market, which priority will be lost unless the Veterans' Land Board is authorized to purchase same; that many veterans desire the opportunity to become freeholders in their home State to derive a livelihood through their efforts in tilling the soil, constitutes an emergency and an imperative public necessity requiring the Constitutional Rule providing that Bills be read on three (3) separate days, be suspended and said rule is so suspended and that this Act shall take effect and be in force from and after its passage and it is so enacted.

(2)

Amend Senate Bill No. 29 by striking out Section 11 and substituting in lieu thereof the following:

Sec. 11. All land purchased by the Board shall be acquired at the lowest price obtainable in the opinion of said Board, taking into consideration the quality, location, natural advantages and improvements of such land and shall be paid for in cash and shall be clear of all liens and shall con-

stitute a part of the Veterans' Land Fund. It shall be the duty of the Board, before making payment for any land, to have the title of the property, sought to be bought, examined and may require for this purpose an abstract of this title or a policy of title insurance and may refer the same to the Attorney General for this examination and opinion. Such purchase may be made of land subject to an outstanding oil, gas and other mineral royalty interest, provided said outstanding interest is not more than one-half of the oil, gas and other minerals therein, and the Board may also purchase lands which are subject to outstanding mineral leases if the purchase includes not less than one-half of the reversionary right in the minerals and not less than one-sixteenth (1/16) royalty therein, if such title be otherwise good and merchantable.

(3)

Amend Senate Bill No. 29 by striking out Section 16 and substituting in lieu thereof the following:

Sec. 16. Anything contained in this Act to the contrary notwithstanding, it is expressly provided that where the veteran desired a particular tract of land located in this State which he can purchase for not exceeding Ten Thousand Dollars (\$10,000.00), he may, upon proper showing of eligibility to benefits hereunder, be authorized by the Board to select the land which he desires and submit his selection to such Board on such form as it may prescribe. The Board may purchase such land from the owner thereof upon the terms agreed, if the Board is satisfied of the value and desirability of the property submitted and pay not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00) of the purchase price, provided the veteran pays cash for all the purchase price over Seven Thousand, Five Hundred Dollars (\$7,500.00). The Board shall make such appraisalment of the property as it deems necessary in order to determine value and before consummating a purchase shall satisfy itself as to title, as provided in Section 10 of this Act. The property so acquired shall become a part of the Veterans' Land Fund, but the veteran who has selected the land so acquired shall have a preference right to purchase the same from the Board. The rules and regulations governing the sale of land under this Section

shall be governed by the provisions hereinafter made with reference to sale of land generally by the Board, except where same conflicts with this Section. In order to be entitled to such preference right, the veteran shall, before the Board purchases said land, have agreed to, in writing, purchase said selected land from the Board at the purchase cost to the Board, and shall have deposited ten (10%) per cent of the purchase price with the Board, which deposited money shall be by the Board deposited with the State Treasurer in a suspense account to be held until the title of said land is approved and accepted by the Board, at which time said deposit shall be applied to the down payment on the contract of sale and purchase of land by said veteran. If the title to said land is not approved and accepted by the Board, said deposit by the veteran shall be returned to him.

The Committee Amendments were severally adopted.

Senator Bell offered the following Committee Amendment to the bill:

(4)

Amend Senate Bill No. 29, Section 14, by inserting after the word "aye" and before the word "who" in line 6 of said Section the following words:

"and who are disabled by reason of a service connected disability sustained in combat."

Question—Shall the Committee Amendment be adopted?

Recess

Senator Harris moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

Senator Kelley of Hidalgo moved that the Senate recess to 2:30 o'clock p.m. today.

Question first recurring on the motion of Senator Harris, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—14

Aikin	Hardeman
Ashley	Harris
Bracewell	Hazlewood
Carney	Hudson

Kelly of Tarrant	Taylor
Lane	Vick
Shofner	Weinert

Nays—15

Bell	Moffett
Colson	Moore
Corbin	Morris
Jones	Phillips
Kelley of Hidalgo	Proffer
Lock	Strauss
Martin	Tynan
McDonald	

Absent

Cousins

Absent—Excused

Bullock

Question next recurring on the motion to recess, it prevailed.

The Senate accordingly at 12:15 o'clock p.m., took recess to 2:30 o'clock p.m. today.

Afternoon Session

The Senate met at 2:30 o'clock p.m. and was called to order by Senator Aikin.

Reports of Standing Committees

By unanimous consent, the following committee reports were submitted at this time:

Senator Moffett submitted the following report:

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred H. B. No. 29, have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass as amended and be printed.

MOFFETT, Chairman.

Senator Jones submitted the following report:

Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Coun-

ties and County Boundaries, to whom was referred H. B. No. 324, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Senate Bill 29
on Passage to Engrossment

The Senate resumed consideration of pending business, same being S. B. No. 29 on its passage to engrossment, with Committee Amendment No. 4 by Senator Bell pending.

Question—Shall the Committee Amendment be adopted?

Senator Hudson raised the point of order that there was not a quorum present.

The presiding officer directed the Secretary to call the roll.

The roll was called and the following Senators answered to their names:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	Moore
Colson	Morris
Corbin	Proffer
Hardeman	Shofner
Hazlewood	Strauss
Hudson	Tynan
Kelley of Hidalgo	

Absent

Carney	Moffett
Cousins	Phillips
Harris	Taylor
Jones	Vick
Kelly of Tarrant	Weinert
McDonald	

Absent—Excused

Bullock

The presiding officer announced that there was not a quorum present.

Senator Hardeman moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

The motion was lost by the following vote:

Yeas—8

Ashley	Kelly of Tarrant
Hardeman	Lane
Harris	Lock
Hudson	Shofner

Nays—16

Aikin	McDonald
Bell	Moore
Bracewell	Morris
Colson	Phillips
Corbin	Proffer
Hazlewood	Strauss
Kelley of Hidalgo	Taylor
Martin	Tynan

Absent

Carney	Moffett
Cousins	Vick
Jones	Weinert

Absent—Excused

Bullock

The presiding officer announced that there was a quorum present.

Senator Taylor offered the following substitute for Committee Amendment No. 4:

Amend S. B. No. 29 by striking out all of Section 12 and substitute in lieu thereof the following:

Section 12. Land acquired by the Board may be subdivided for the purpose of sale into tracts of such size as the Board may deem advisable, but prior to the sale thereof in bulk or in subdivided lots, notice of sale must be given once a week for four (4) consecutive weeks in one or more newspapers of general circulation in this State. The Board is authorized to determine the form and substance of such notices, and to formulate such other rules and regulations covering the sale of lands as it may require in carrying out the purposes of this Act; provided that all "veterans" as that term is hereinafter defined, who are disabled by reason of a service connected disability sustained in combat shall have a preference right over all other veterans for (90) days to purchase any of said land after same is placed on the market by the Board.

The substitute for the Committee Amendment was adopted.

The Committee Amendment as substituted was then adopted.

Senator Taylor offered the following amendment to the bill:

Amend Senate Bill No. 29 by adding a new sentence at the end of Section 16 to read as follows:

"Provided however that any 'vet-

eran' as that term is herein defined, who is disabled by reason of a service connected disability sustained in combat shall have a preference right over all other veterans for ninety (90) days to purchase any of said land after same is placed on the market by the Board under the provisions of this section."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Senate Bill 29, line 60, page 4 of the printed bill by changing the period to a comma and adding the following: "one of which shall be in county where the land is located or if no paper is located in the county, then in the same area."

The amendment was adopted.

Senator Harris offered the following amendment to the bill:

Amend S. B. No. 29 by Bell, page 7, lines 55 and 56 by striking out in Sec. 27 the words and figures "One Hundred Thousand Dollars (\$100,000)," and insert in lieu thereof the words and figures "Twenty-five Thousand Dollars (\$25,000)."

Senator Bell moved to table the amendment.

Yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—9

Bell	Morris
Colson	Phillips
Corbin	Strauss
Kelley of Hidalgo	Vick
McDonald	

Nays—17

Aikin	Jones
Ashley	Kelly of Tarrant
Bracewell	Lane
Carney	Lock
Cousins	Martin
Hardeman	Moffett
Harris	Taylor
Hazlewood	Tynan
Hudson	

Absent

Moore	Shofner
Proffer	Weinert

Absent—Excused

Bullock

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—15

Aikin	Hudson
Ashley	Jones
Bracewell	Kelly of Tarrant
Carney	Martin
Cousins	Moffett
Hardeman	Taylor
Harris	Tynan
Hazlewood	

Nays—11

Bell	Morris
Colson	Phillips
Corbin	Proffer
Kelley of Hidalgo	Strauss
McDonald	Vick
Moore	

Absent

Lane	Shofner
Lock	Weinert

Absent—Excused

Bullock

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 29 as amended by adding at the end of Sec. 27 the following:

"None of the above appropriation shall be expended until same shall have been approved by the Legislative Audit Committee."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 29 as amended by striking out the words and figures "ten (10%) per cent" wherever the same may appear in Sections 16 and 17 thereof and insert in lieu the words and figures "five (5%) per cent."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 29 as amended by striking out the words and figures "four per cent (4%)" in Sec. 17 and

inserting the words and figures "three (3%) per cent."

HARDEMAN,
MOFFETT.

The amendment was adopted.

(President in the Chair)

Senator Hardeman offered the following amendment to the bill:

Amend S. B. No. 29 as amended by striking out the word "may" in line 60, Sec. 17 of the printed bill, and inserting the word "shall" in lieu thereof.

Senator Bell moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—13

Ashley	Moore
Bell	Morris
Carney	Phillips
Colson	Strauss
Corbin	Tynan
Kelley of Hidalgo	Vick
McDonald	

Nays—15

Aikin	Kelly of Tarrant
Bracewell	Lane
Cousins	Lock
Hardeman	Martin
Harris	Moffett
Hazlewood	Proffer
Hudson	Taylor
Jones	

Absent

Shofner	Weinert
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Absent—Excused

Bullock

Question recurring on the amendment, it was adopted.

Senator Strauss offered the following amendment to the bill:

Amend S. B. No. 29, Sec. 27, line 63, by adding at the end thereof the following:

Provided that ninety (90%) per cent of the employees of the board necessary to the administration of this law by the board shall be veterans of World War II.

STRAUSS,
McDONALD.

Senator Bell moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—18

Aikin	Lane
Ashley	Martin
Bell	Moffett
Bracewell	Moore
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Tynan
Hazlewood	Vick

Nays—6

Hardeman	Kelly of Tarrant
Harris	Strauss
Jones	Taylor

Absent

Hudson	Shofner
Kelley of Hidalgo	Weinert
Lock	McDonald

Absent—Excused

Bullock

Senator Martin offered the following amendment to the bill:

Amend S. B. No. 29 as amended by adding on page 5, line 14, after the word "Navy" and before the word "or" the words "Coast Guard."

The amendment was adopted by the following vote:

Yeas—19

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Morris
Hardeman	Phillips
Harris	Proffer
Hazlewood	Strauss
Hudson	Taylor
Jones	Vick
Kelly of Tarrant	

Nays—7

Bell	Lane
Carney	Moore
Corbin	Tynan
Cousins	

Absent

Kelley of Hidalgo	Shofner
Lock	Weinert

Absent—Excused

Bullock

On motion of Senator Bell and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

The bill was passed to engrossment.

Senate Bill 29 on Third Reading

Senator Bell moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 29 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelly of Tarrant	Weinert

Absent

Kelley of Hidalgo	Shofner
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Absent—Excused

Bullock

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Carney	Moffett
Colson	Moore
Corbin	Morris
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent
Hudson Weinert
Absent—Excused
Bullock

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 22, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Resolution:

H. C. R. No. 50, Authorizing the Presidents of the various State Colleges and Universities to make investigations of certain students.

The House has concurred in Senate

amendments to House Bill No. 92 by vote of 120 yeas, 1 nay.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

**Committee to Arrange for
Joint Session to Hear an Address
by Honorable Sam Rayburn**

In accordance with the provisions of H. C. R. No. 49, the President announced the appointment of the following committee on the part of the Senate:

Senators Jones, Proffer, Phillips, Aikin and McDonald.

Recess

On motion of Senator Aikin, the Senate at 3:45 o'clock p.m., took recess until 10:00 o'clock a.m. tomorrow.

In Memory of
Jerome August Muller

Senator Colson offered the following resolution:

(Senate Resolution 86)

Whereas, On March 14, 1949, the illustrious career of Jerome August Muller was closed by his death at Livingston, Polk County, Texas, where he was born on November 30, 1904; and

Whereas, In the death of Mr. Muller, Texans witnessed the passing of one whose footsteps marked service and progress on every path he chose to travel; and

Whereas, Mr. Muller was a graduate of Texas A. & M. College and a member of the First Presbyterian Church of Livingston; and

Whereas, he contributed generously of his time and efforts to promote the welfare of his fellow men, having served as County Red Cross Chairman on two different occasions, as a member of the Area Council of the Boy Scouts of America and Commander of the Hale-Sellars American Legion Post of Polk and San Jacinto Counties, leaving a record in these fields which will ever remain as a challenge to those who follow; and

Whereas, Mr. Muller served his country in World War II as a Major in the Army prior to assuming the responsibilities of President of the First State Bank at Livingston, which position he held at the time of his death; and

Whereas, His dynamic personality, courage of conviction and straightforward, business-like manner won the confidence and respect of all his associates; and

Whereas, He was charitable to the unfortunate and friendly and generous in his consideration for others, he found comfort and joy in his life of devotion to his family and friends; now therefore, be it

Resolved by the Senate of the State of Texas, that we extend to the members of the esteemed family of this illustrious Texan our deep sense of loss and sincere sympathy in his passing; that we recognize his service to the State; that a page in the Journal be set aside as a memorial to him and that official copies of this resolution be furnished Mrs. J. A. Muller, Master Jerome Muller, Miss May Andress and Miss Fannie Andress, all of Livingston, Texas, and Mrs. Preston E. Lindsey of Dallas, Texas, and be it further

Resolved, that when the Senate adjourns today, it do so in tribute to the memory of Mr. J. August Muller.

The resolution was read and was adopted.

In Memory of
Honorable F. W. Hensel

Senator Moore offered the following resolution:

(Senate Resolution 87)

Whereas, Honorable F. W. Hensel, beloved and distinguished Head of the Landscape Arts Department of the Agricultural and Mechanical College of Texas, departed this life on March 15, 1949; and

Whereas, Mr. Hensel was a graduate of A. & M. College, class of 1907, and did graduate work at Cornell University; and

Whereas, In 1913 he returned to A. & M. College of Texas as an instructor in the Horticulture Department, and later became the first head of the Landscape Arts Department when it was established in 1926; and

Whereas, Mr. Hensel is credited with developing the campus of A. & M. College of Texas into one of the most beautiful in the United States, and was widely recognized as an authority in the field of Landscape Architecture and many achievements resulted from his tireless efforts and study; and

Whereas, Mr. Hensel is survived by his widow, Mrs. F. W. Hensel, and one son, William Hensel, and a host of friends to mourn his passing; now, therefore, be it

Resolved, That the Senate of Texas express its sympathy to the members of the family of Mr. Hensel, and instruct its Secretary to send copies of this resolution to the members of the family, and that when the Senate adjourns today, it do so out of respect for the memory of this noble Texan.

MOORE,
BRACEWELL.

The resolution was read and was adopted.